

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**JASON L. STEPHANY,**

**Plaintiff**

**v.**

**MILES, et al.,**

**Defendants**

:  
:  
:  
:  
:  
:  
:  
:

**Civ. No. 1:15-cv-1457**

**Magistrate Judge Mehalchick**

**Judge Rambo**

**ORDER**

Before the court is a January 15, 2016 report and recommendation of the magistrate judge (Doc. 11) to whom this matter was referred, in which she recommends that Plaintiff Jason Stephany's complaint (Doc. 1) filed pursuant to 42 U.S.C. § 1983 be dismissed without prejudice for failure to exhaust administrative remedies. Objections to the report and recommendation were due no later than February 1, 2016, and to date, no objections have been filed.

Therefore, upon consideration of the record before the court and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The court adopts the report and recommendation of Magistrate Judge Mehalchick (Doc. 11);
- 2) The complaint is **DISMISSED WITHOUT PREJUDICE**;
- 3) The clerk of court is directed to close this case.

s/Sylvia H. Rambo

**SYLVIA H. RAMBO**

United States District Judge

Dated: February 24, 2016